

AN ORDINANCE     **97366**

**ACCEPTING THE LOW, QUALIFIED BID OF R.L. JONES, L.P., IN THE AMOUNT OF \$382,227.85 IN CONNECTION WITH THE FAY PHASE I - QUINTANA TO CREIGHTON COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$38,222.79 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$6,678.86 FOR CONSTRUCTION ENGINEERING EXPENSES PAYABLE TO GARCIA & WRIGHT CONSULTING ENGINEERS, INC.; AUTHORIZING \$26,755.95 FOR EXPENSE RECOVERY; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$5,205.00 FOR SEWER AND WATER EXPENSES, FOR AN OVERALL TOTAL AMOUNT OF \$453,885.45; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS**, the City Council has approved the Fay Phase I - Quintana to Creighton Project as part of the Community Development Block Grant (CDBG) Program; and

**WHEREAS**, in connection with said Project, there exists a need for reconstruction of Fay from Quintana to midpoint between Crittendon and Creighton and Crittendon from Fay to Southcross to include 4-foot sidewalks, curbs and driveway approaches as well as providing for a 27-foot wide, two-lane standard roadway with underground storm water drainage; and

**WHEREAS**, in order to commence performance of such work, it is necessary to accept the low, qualified responsive bid of R.L. Jones, L.P.; and

**WHEREAS**, by Ordinance 87882, passed and approved June 4, 1998, a professional services contract was awarded to Garcia & Wright Consulting Engineers, Inc. in connection with the Fay Phase I – Quintana to Creighton Project; and

**WHEREAS**, in order to proceed with said Project additional engineering services are required; and

**WHEREAS**, performance of such additional engineering services will necessitate payment of additional fees; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The low, qualified, responsive bid of R.L. Jones, L.P. in the amount of \$382,227.85 for the above-described work in connection with the Fay Phase I - Quintana to Creighton Community Development Block Grant (CDBG) Project is hereby accepted. The City Manager or, in her stead, either the Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager or the Director of Public Works is hereby authorized to execute a standard form public works construction contract for the job. A copy of the contractor's bid is affixed hereto and incorporated herein as Attachment I.

**SECTION 2.** All other bids received on this Project are rejected upon the occurrence of either the execution of a contract by the low qualified bidder and deposit of all required bonds and insurance certificates, or the expiration of sixty (60) days from the date of this Ordinance.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** The budget of Project No. 26-013517 is authorized to be revised as set out in the detailed budget affixed hereto and incorporated herein for all purposes as Attachment II.

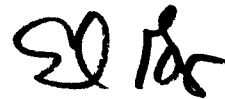
**SECTION 5.** The following sums are hereby authorized for encumbrance in and payment from Project No. 26-013517:

\$382,227.85	for construction expenses payable to R.L. Jones, L.P., Index No. 244921;
\$ 38,222.79	for miscellaneous construction contingency expenses, Index No. 244954;
\$ 6,678.86	for construction engineering expenses payable to Garcia & Wright Consulting Engineers, Inc., Index No. 231787; and
\$ 26,755.95	for expense recovery, Index No. 244962.

**SECTION 6.** The City hereby acknowledges and accepts the commitment of the San Antonio Water System (SAWS) to pay for the cost of sewer and water work as necessitated in connection with the performance of this project, and for the cost of any additional work which may be required. SAWS shall make payment to the City for the costs set forth in Attachment II, such cost totaling \$5,205.00. For any additional work which may be required, SAWS has manifested their intent to pay their portion. The City is hereby authorized to collect from SAWS payment for any additional costs of such nature and the project budget is hereby authorized to be revised to so reflect. SAWS shall provide a copy of its resolution to City's Department of Public Works upon approval of this project. The Director of Public Works is hereby authorized to bill SAWS for the cost of sewer and water work as necessitated in connection with the performance of this project and for any cost overruns required to complete the aforesaid SAWS sewer and water works construction. Collections from SAWS shall be forwarded to the Director of Finance and deposited in the Project No. 26-013517. The budget of Project No. 26-013517 is hereby authorized to be supplemented in the amount of the sum required to complete the cost of sewer and water work as necessitated in connection with the performance of this project, if such additional work is required, and the construction contract herein awarded amended in accordance with the City's field alteration procedure, administratively or by ordinance as applicable.

**SECTION 7.** This Ordinance shall become effective on and after the tenth (10th) day after passage hereof.

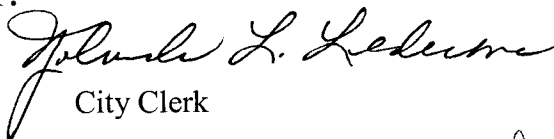
**PASSED AND APPROVED** this 27<sup>th</sup> day of March, 2003.



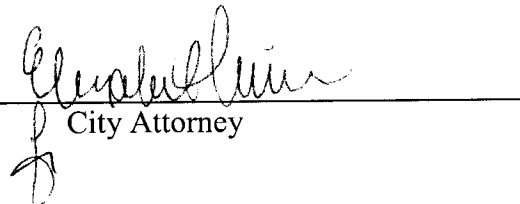
M A Y O R

EDWARD D. GARZA

**ATTEST:**

  
City Clerk

**APPROVED AS TO FORM:**

  
City Attorney